

REMARKS

I. Claim Amendments

With this response, claims 1, 6, 7, 10, 12, 15 and 17-19 are amended and claims 5 and 8 are cancelled.

II. 35 U.S.C. § 112, second paragraph

Claims 1-4, 6, 7 and 9-20 stand rejected under 35 USC 112, second paragraph as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

A. The Applicant submits that amended claims 1, 12 and 17 are clear in that they recite “*one selected from the group consisting of ...C1-C12 hydrocarbon...aromatic hydrocarbon*” as separate and distinct possible definitions for **R**, wherein any aromatic hydrocarbon may be used, and any C1-C12 hydrocarbon may be used--including aliphatic hydrocarbons. The Applicant submits that amended claims 1, 12 and 17 distinctly claim the subject matter which is regarded to be the invention.

B. The Applicant submits that amended claims 6 and 7 are clear in that they recite “*one selected from the group consisting of an aromatic group or hydrocarbon having 1~15 carbon atoms*” as two separate possible definitions for **R**, wherein any aromatic group may be used or any hydrocarbon having 1-15 carbon atoms. The Applicant submits that amended claims 6 and 7 distinctly claim the subject matter which is regarded to be the invention.

C. The Applicant submits that amended claim 15 is not confusing, as it clearly recites, “*The organic light-emitting device as defined in Claim 1, wherein the device ~~the organic compound represented by the Chemical Formula 1~~ is a light-emitting diode.*” Thus, the Applicant submits the device is claimed to be the light emitting diode, and this distinctly claims the subject matter regarded to be the invention.

D. The Applicant submits that claims 18 and 19 have been amended to provide the proper

antecedent basis for "the hole injection layer", and respectfully requests removal of this rejection in this regard.

III. 35 U.S.C. § 102(b)

Claim 17 stands rejected under 35 U.S.C. 102(b) for being anticipated by Czarnik et al. (US 4,780,536). The Examiner contends that Czarnik et al disclose compounds represented by the Chemical Formula 1 as defined in claim 17.

The Applicant respectfully disagrees. The Applicant has amended claim 17 to recite,

"A hole injecting layer comprising an organic compound ~~material~~ represented by Chemical Formula 1..."

The Applicant submits that Czarnik et al does not disclose "*A hole injecting layer comprising an organic compound represented by Chemical Formula 1*". Czarnik does not disclose a "layer" associated with the organic compound. With this amendment, the Applicant submits that the layer claimed in claim 17 is not anticipated by Czarnik et al because the compound of Czarnik is used only for metal cation binding and metal value removal for metal recovery purposes and/or cleaning-up of the media purposes, and for other applications, such as cross-linking agents in thermooxidatively stable polymer syntheses (see column 1, lines 20 to 25 of US 4,780,536).

IV. 35 U.S.C. § 102(e)

Claims 1-4, 9-12 and 14-18 are rejected under 35 USC 102(e) as being anticipated by Ueno et al., US 6,436,559 B1.

The Applicant respectfully disagrees in view of the priority document KR 1999-67746 filed on December 31, 1999 prior to the filing date of Ueno which is November 9, 2000. Enclosed with this response the Applicant submits translation of both foreign applications (KR 1999-67746 and KR 2000-82085) to which this application claims priority in accordance with 37 CFR 1.55. Furthermore, each translation is filed together with a statement that the corresponding translation is accurate.

The Examiner contends that compounds (4), (5), (6), (10) and (15) as disclosed in columns

4-7 of Ueno et al (US 6,436,559 B1) are represented by the Chemical Formula 1 of the present invention. The Applicant submits that in the translation of priority document KR 1999-67746 at page 4 lines 18-22, the presently claimed "*Chemical Formula 1...wherein R1 to R6 are independently or simultaneously selected from the group consisting of hydrogen atom, C1-C12 hydrocarbon, halogen, alkoxy, arylamine, ester, amide, imide, aromatic hydrocarbon, heterocyclic compound, nitro, and nitrile (-CN) group*" is disclosed. This disclosure is further presented in claim 1 of this KR 1999-67746 priority document. Formula 1 of the present application having the claimed R groups was disclosed prior to the compounds of Ueno in view of the respective filing dates.

The Examiner contends that the thickness range of present claim 9 is taught by Ueno at column 11, lines 65-67, etc. The Applicant submits that the thickness range of claim 9 is disclosed in the earlier filed priority document KR 1999-67746 at page 9, lines 7-10 as enclosed.

The Examiner contends that the features of pending claim 10 are also disclosed by Ueno at column 13-17 and include arylamine based compounds and polycyclic aromatic compounds. The Applicant submits that these features of claim 10 are disclosed in the earlier filed priority document KR 1999-67746 at page 1, lines 10-12 as enclosed.

The Examiner contends that the anode materials recited in pending claim 11 is disclosed by Ueno et al at column 23, lines 42-51. However, the Applicant submits that the anode materials of claim 11 were disclosed in the earlier filed priority document KR 1999-67746 at page 3, lines 15-31, as enclosed.

The Examiner contends that the metal oxide to be used for the anode and/or cathode is disclosed in column 23, lines 42-60 of Ueno et al. The Applicant submits that the metal oxide to be used for the anode and/or cathode is disclosed in the earlier filed priority document KR 1999-67746 at page 8, lines 25-29.

The Examiner contends that Ueno's device of Example 1 (column 24) meets the limitations of the device as claimed in pending claims 1, 4, 11, 14 and 15. The Applicant submits that the limitations of claim 1 are disclosed in the earlier filed priority document KR 1999-67746 at page 1,

lines 1-12; the limitations of claim 4 are disclosed at page 2, lines 15-23 of the earlier filed KR 1999-67746; the limitations of claim 11 are disclosed at page 3, lines 15-31 of the earlier filed KR 1999-67746; the limitations of claim 14 are disclosed at page 8, lines 25-29 of the earlier filed KR 1999-67746, and the limitations of claim 15 are disclosed at page 2, lines 6-9 and Figures 1, 2 of the earlier filed KR 1999-67746.

For all the cited disclosure in the priority document KR 1999-67746 the Applicant submits that Claims 1-4, 9-12 and 14-18 are not anticipated by Ueno et al under 102(e) in view of the support for these claims found in KR 1999-67746 which was filed prior to Ueno et al.

V. 35 U.S.C. § 101

A. Claims 5 and 8 stand rejected under 35 USC 101 as claiming the same invention as that of claims 5 and 8 of prior US Patent No. 6,720,573 B2.

The Applicants submit that claims 5 and 8 are cancelled with this response, thus obviating this 35 USC 101 rejection.

B. Claims 1-20 stand rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 1-31 of US Patent NO. 6,720,573 B2.

The Applicants submit that a terminal disclaimer in compliance with 37 CFR 1.321(d) and 37 CFR 3.73(b) signed by the assignee is enclosed herewith, thereby overcoming this nonstatutory obviousness-type double patenting rejection.

VI. Miscellaneous

- A. The superfluous term "at least" has been deleted from amended claim 1.
- B. The chemical formulae as set forth in claims 1, 6-8, 12 and 17 have been clearly printed, as show in the amended claims.
- C. The superfluous term "phenyl" has been deleted from amended claims 6 and 7.
- D. The word "consisting" has been inserted after "group" in line 3 of claim 10.
- E. The misspelled prefix "naphtyl" has been amended to "naphthyl" in lines 8 and 13 of

claim 19.

VII. Conclusion

Applicants respectfully contend that all conditions of patentability are met in the pending claims as amended. All amendments herein are made without prejudice. The Examiner is respectfully requested to pass the application to issue.

* * *

The Commissioner is authorized to charge any additional fees that may be required or credit overpayment to deposit account no. 12-0415. In particular, if this response is not timely filed, the Commissioner is authorized to treat this response as including a petition to extend the time period pursuant to 37 CFR §1.136(a) requesting an extension of time of the number of months necessary to make this response timely filed, and the petition fee due in connection therewith may be charged to deposit account no. 12-0415.

I hereby certify that this correspondence is being deposited with the United States Post Office with sufficient postage as first class mail in an envelope addressed to: Mail Stop Amendment Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on

November 15, 2006
(Date of Transmission)

Trisha Lozano
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11/15/06
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Respectfully submitted,



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Enclosures: Terminal Disclaimer under 37 CFR 1.321 (1 page)
Statement for KR 2000-82085 (3 pages)
English Translation of KR 2000-82085 (19 pages)
Statement for KR 1999-67746 (3 pages)
English Translation of KR 1999-67746 (15 pages)
Check for \$130 for Terminal Disclaimer fee 37 CFR 1.20(d)
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